SINGLE BENCH

(4)

C.S. 1001

IN THE HIGH COURT OF CHHATTISGARH AT BILASPUR (C.G.)

W.P.S. No. /2006

PETITIONER : Arun Kumar Saha S/o Late Dr. R.P. Saha. Aged about 44 years, assistant Graed II /district Aurvedik Office Kanker Distt. Kanker (C.G.).

VERSUS

RESPONDENTS :

1. State of Chhattisgarh through The secretary health and family warfare department, D.K.S. Bhawan Raipur (C.G.)
2. Director health services Indian system of medicin and Homyo Pathy, Chhattisgarh at Riapur (C.G.)
3. District Aurvedik Officer Kanker Distt. Kanker (C.G.).

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14/11/06
A. G. BILASPUR
CLE

Write Petition under Article 226 of Constitution of India for issuing the appropriate writ in nature of mandamus and certiorari.

(38)

XI-HC-78

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

मामला क्रमांक W.P. 3729 **सन् 2006**

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

26.07.2006

Shri M.K. Dubey, learned counsel for the petitioner.

Shri Vinay Pandey, learned P.L. for the State/respondents, on advance copy.

Heard.

By the instant petition the petitioner has challenged his transfer order dated 07.07.2006 (Annexure P-5) whereby he has been transferred from Kanker to Jashpur. The petitioner is Assistant Grade–II and the seniority list of Assistant Grade-II is being maintained Division-wise. However, the petitioner's seniority list is maintained by Raipur Division, therefore, the petitioner is not liable to be transferred outside the Division as the petitioner has been transferred to Bilaspur Division.

Learned counsel for the petitioner submits that in the circumstances, the petitioner may be allowed to make a representation before respondent No. 1 and he in turn be directed to decide the representation, to which learned counsel for the respondents has no objection.

Having heard learned counsel for the parties, having regard to the facts and circumstances of the case, having perused the record, and without expressing any opinion on the merits of the case, prayer made by learned counsel for the petitioner is just, fair and reasonable, the petitioner is allowed to make a representation before respondent No. 1 within 10 days from today and respondent No. 1 is directed to decide the same within a period of 30 days from the date of receipt of the representation

P.T.O.

(40)

(39)

XI-HC-78

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

मामला क्रमांक W.P. 3729 **सन् 200**

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश — 2 —	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

after considering the points raised by the petitioner, in accordance with law. In the meantime, till the decision of the petition the impugned order in respect of the petitioner shall remain stayed.

With the direction aforesaid, the petition stands disposed of.

Certified copy as per rules.

Sd/-
L.C. Bhadoo
Judge

P.T.O.